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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,671	12/31/2003	Krishnaswamy Venkatesh Prasad	FMC 1553 PUSP	1670
28395 7590 11/29/2007 BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER MONIKANG, GEORGE C	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 11/29/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/707,671	PRASAD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	George C. Monikang	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) 1-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-70 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/30/2006, 12/29/2005</u>                                     | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is final due to the cancellation of all previous claims and the insertion of new claims 36-70. The new claims 36-70 have been analyzed and rejected accordingly.

In regards to applicant's argument that Stammmler et al does not disclose "prompting the user", the examiner disagrees. Stammmler et al prompts the user to check if the input is correct (Stammmler et al, figs. 8 & 9; col. 12, lines 28-40) because the applicant did not specify when the user was prompted.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 36-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Everhart et al, US Patent 6,240,347 B1, in view of Stammier et al, US Patent 6,839,670 B1. (The Stammier reference is cited in IDS filed 12/29/2005)

Re Claim 36, Everhart et al discloses a vehicle control system comprising: one or more vehicle components for adjusting secondary vehicle functions (fig. 3); a module for grouping parameters together for each secondary vehicle function to form a vehicle control mode (fig. 3: 23-25), the vehicle control mode being selectable by a vehicle occupant such that the vehicle occupant is capable of specifying parameters for a selected vehicle control mode (col. 2, line 65 through col. 3, line 10), a dialog-based speech recognition component adapted to respond to voice commands from the vehicle occupant (fig. 3: 20), the speech recognition component is further adapted to enter into the communications mode and to communicate with the one or more vehicle components associated with each vehicle control mode (col. 2, line 65 through col. 3, line 10), wherein the speech recognition component comprises: a first translating component adapted to translate a voice command from a vehicle occupant into a form which communicates a control signal to the one or more vehicle components and specifies which vehicle control mode to enter into (col. 2, line 65 through col. 3, line 10); and a human machine interface adapted to communicate with the one or more vehicle components (fig. 3: 16), the human machine interface is capable of communicating in combination with (abstract; fig. 6: 39) and separate from the speech recognition component (abstract; fig. 4; col. 4, lines 35-51); but fails to disclose a prompting component adapted to prompt the vehicle occupant in audio to input information for

entering into the communications mode if additional information is needed than the information contained in the voice command, to input information for specifying a particular vehicle parameter for the communications mode if additional information is needed than the information contained in the voice command and to input information to disambiguate between a plurality of matching data by prompting the vehicle occupant to select a particular set of data from the matching data while in the communications mode (*Stammler et al, figs. 9 & 10*); a second translating component adapted to translate the information received from the vehicle occupant in response to the prompting component prompting the vehicle occupant to input information so that the received information is translated into a form which communicates a control signal to the one or more secondary vehicle components (*Stammler et al, figs. 9 & 10*); wherein the vehicle control mode comprises a communication mode in which the vehicle occupant specifies parameters related to a telephone located in a vehicle passenger compartment (*Stammler et al, figs. 8 & 9; col. 12, lines 28-40*). However, Stammler et al does.

Taking the combined teachings of Everhart et al and Stammler et al as a whole, one skilled in the art would have found it obvious to modify the vehicle control system comprising: one or more vehicle components for adjusting secondary vehicle functions (*fig. 3*); a module for grouping parameters together for each secondary vehicle function to form a vehicle control mode (*fig. 3: 23-25*), the vehicle control mode being selectable by a vehicle occupant such that the vehicle occupant is capable of specifying parameters for a selected vehicle control mode (*col. 2, line 65 through col. 3, line 10*), a dialog-based speech recognition component adapted to respond to voice commands

from the vehicle occupant (fig. 3: 20), the speech recognition component is further adapted to enter into the communications mode and to communicate with the one or more vehicle components associated with each vehicle control mode (col. 2, line 65 through col. 3, line 10), wherein the speech recognition component comprises: a first translating component adapted to translate a voice command from a vehicle occupant into a form which communicates a control signal to the one or more vehicle components and specifies which vehicle control mode to enter into (col. 2, line 65 through col. 3, line 10); and a human machine interface adapted to communicate with the one or more vehicle components (fig. 3: 16), the human machine interface is capable of communicating in combination with (abstract; fig. 6: 39) and separate from the speech recognition component (abstract; fig. 4; col. 4, lines 35-51) of Everhart et al with prompting component adapted to prompt the vehicle occupant in audio to input information for entering into the communications mode if additional information is needed than the information contained in the voice command, to input information for specifying a particular vehicle parameter for the communications mode if additional information is needed than the information contained in the voice command and to input information to disambiguate between a plurality of matching data by prompting the vehicle occupant to select a particular set of data from the matching data while in the communications mode (Stammler et al, figs. 9 & 10); a second translating component adapted to translate the information received from the vehicle occupant in response to the prompting component prompting the vehicle occupant to input information so that the received information is translated into a form which communicates a control signal

to the one or more secondary vehicle components (Stammler et al, figs. 9 & 10); wherein the vehicle control mode comprises a communication mode in which the vehicle occupant specifies parameters related to a telephone located in a vehicle passenger compartment (Stammler et al, figs. 8 & 9; col. 12, lines 28-40) as taught in Stammler et al to forge a dialog between the user and the system so the system can be more user friendly.

Re Claim 37, the combined teachings of Everhart et al and Stammler et al disclose the vehicle control system of claim 36 wherein the selected vehicle control mode is selectable by the vehicle occupant interacting with the human machine interface (Everhart et al, figs. 4 & 6; col. 4, lines 35-51).

Re Claim 38, the combined teachings of Everhart et al and Stammler et al disclose the vehicle control system of claim 36 wherein the vehicle control mode further comprises at least one of: an entertainment mode in which the vehicle occupant specifies parameters that control a vehicle entertainment system (Everhart et al, fig. 3: 16); a navigation mode in which the vehicle occupant specifies parameters related to vehicle position (Everhart et al, fig. 3: 23); a climate control mode in which the vehicle occupant specifies parameters that adjust the climate in the vehicle passenger compartment (Everhart et al, fig. 3: 24); and a vehicle systems mode in which the vehicle occupant specifies parameters related to the vehicle control system or any other predetermined vehicle parameter (Everhart et al, fig. 3: 25).

Re Claim 39, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 38 wherein the first translating component is adapted to translate the voice command from a vehicle occupant into a form which communicates a control signal to the one or more vehicle components and to specify which of at least one of the climate control mode (Everhart et al, fig. 3: 20 & 24), the entertainment mode (Everhart et al, fig. 3: 20 & 16), the navigation mode (Everhart et al, fig. 3: 20 & 23), the communications mode and the vehicle systems mode to enter into (Everhart et al, fig. 3: 20 & 25).

Re Claim 40, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 39 wherein the prompting component is adapted to prompt the vehicle occupant in audio to input information (Stammli et al, figs. 9 & 10) to enter into the at least one of the climate control mode (Everhart et al, fig. 3: 20 & 24), the entertainment mode (Everhart et al, fig. 3: 20 & 16), the navigation mode (Everhart et al, fig. 3: 20 & 23), the communications mode and the vehicle systems mode if additional information is needed than the information contained in the voice command (Everhart et al, fig. 3: 20 & 25) and to input information specifying a particular vehicle mode parameter (Stammli et al, figs. 9 & 10) for the at least one of the climate control mode (Everhart et al, fig. 3: 20 & 24), the entertainment mode (Everhart et al, fig. 3: 20 & 16), the navigation mode (Everhart et al, fig. 3: 20 & 23), and the vehicle system mode if additional information is needed than the information contained in the voice command (Everhart et al, fig. 3: 20 & 25).



Re Claim 41, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 36 wherein the speech recognition component comprises a central processing unit adapted to execute a sequence of computer commands that translates the voice command into a signal that is communicatable to the one or more system components (Everhart et al, col. 3, lines 11-20).

Re Claim 42, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 36 wherein the human machine interface comprises a touch panel display (Everhart et al, figs. 7-11; col. 5, lines 61-65).

Re Claim 43, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 36 wherein: the vehicle control system further comprises an interfacing electronics system for providing a primary control analog or digital signal to the one or more vehicle components (Everhart et al, col. 3, lines 14-17); and the speech recognition component comprises a translating component for translating the voice command into a secondary control digital or analog signal which is provided to the interfacing electronics system (Everhart et al, col. 3, lines 14-17).

Re Claim 44, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 36 wherein: the vehicle control system further comprises an interfacing electronics system for providing a primary control analog or digital signal to the one or more vehicle components (Everhart et al, col. 3, lines 14-17); and the human machine interface comprises a translating component for

translating the voice command into a secondary control digital or analog signal which is provided to the interfacing electronics system (Everhart et al, col. 3, lines 23-27; col. 3, lines 14-17).

Re Claim 45, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 36 wherein the system is adapted to provide feedback to the vehicle occupant that the vehicle occupant entered into the communications mode by performing at least one of lighting an indicator, and generating text on a screen (Everhart et al, col. 3, lines 27-42).

Claim 46 has been analyzed and rejected according to claim 45.

Re Claim 47, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 40 wherein the prompting component is further adapted to prompt the vehicle occupant in audio to select a particular address from a number of matching addresses while in the navigation mode (Everhart et al, col. 4, lines 1-9).

Re Claim 48, the combined teachings of Everhart et al and Stammli et al disclose the vehicle control system of claim 36 wherein the prompting component is further adapted to prompt the vehicle occupant in audio to select a particular phone number from a number of matching phone numbers while in the communication mode (Stammli et al, figs 9 & 10).

Claim 49 has been analyzed and rejected according to claim 36.

Claim 50 has been analyzed and rejected according to claim 38.

Claim 51 has been analyzed and rejected according to claim 39.

Claim 52 has been analyzed and rejected according to claim 40.

Claim 53 has been analyzed and rejected according to claim 41.

Claim 54 has been analyzed and rejected according to claim 43.

Claim 55 has been analyzed and rejected according to claim 45.

Claim 56 has been analyzed and rejected according to claim 45.

Claim 57 has been analyzed and rejected according to claim 47.

Claim 58 has been analyzed and rejected according to claim 48.

Claim 59 has been analyzed and rejected according to claim 36.

Claim 60 has been analyzed and rejected according to claim 37.

Claim 61 has been analyzed and rejected according to claim 38.

Claim 62 has been analyzed and rejected according to claim 39.

Claim 63 has been analyzed and rejected according to claim 40.

Claim 64 has been analyzed and rejected according to claim 41.

Claim 65 has been analyzed and rejected according to claim 42.

Claim 66 has been analyzed and rejected according to claim 43.

Claim 67 has been analyzed and rejected according to claim 45.

Claim 68 has been analyzed and rejected according to claim 45.

Claim 69 has been analyzed and rejected according to claim 47.

Claim 70 has been analyzed and rejected according to claim 48.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Monikang whose telephone number is 571-270-1190. The examiner can normally be reached on M-F. alt Fri. Off 7:30am-5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

George Monikang

11/26/2007

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PRIMARY EXAMINER